

REMARKS

Claims 1-7 stand rejected on prior art grounds. Claim 8-15 are hereby added. Hence, claims 1-15 are all the claims pending in the application.

Applicants herein editorially amend claims 1-3, 5, and 6 for reasons of precision of language. The amendments to these claims were made merely to more accurately claim the present invention and do not narrow the literal scope of the claims and thus do not implicate estoppel in the application of the doctrine of equivalents.

Claim Rejections - 35 U.S.C. § 102(e)

The Examiner has rejected claim 1 under 35 U.S.C. § 102(e) as allegedly being anticipated by Applicants' alleged admitted prior art (hereinafter "Related Art"). Applicants respectfully traverse the rejection.

For example, claim 1 recites a radio network controller including a plurality of protocol layers, which comprises a plurality of blocks each formed of protocol layers obtained by segmenting said plurality of protocol layers and a User Datagram Protocol (UDP)/Internet Protocol version 6 (IPv6) layer which connects said plurality of blocks.

Although the Examiner does not clearly indicate which features of the Related Art allegedly correspond to the features of claim 1, it seems that the Examiner alleges that the Related Art's IP, L2, and L1 layers comprise one of the claimed blocks and that the Related Art's remaining protocol layers (excluding the UDP layer) comprise another of the claimed plurality of blocks. The Examiner asserts that the Related Art's UDP layer is a UDP/IPv6 layer because the User IP layer by which the RNC communicates with the Router is IPv6.

However, the Related Art does not expressly or inherently indicate that the UDP layer is a UDP/IPv6 layer, as the Examiner asserts. Indeed, the user layer (shown in Figure 6 as IPv6) of the RNC is an entirely different layer from the UDP layer. Therefore, the mere presence of the IPv6 layer does not indicate that the UDP layer is UDP/IPv6 layer. Thus, Applicants submit that the Related Art does not teach a User Datagram Protocol (UDP)/Internet Protocol version 6 (IPv6) layer which connects a plurality of blocks each formed of protocol layers obtained by segmenting said plurality of protocol layers, as recited by claim 1.

Because the Related Art does not teach or suggest all of the features of claim 1, Applicants submit that the claim is not anticipated by the Related Art.

Claim Rejections - 35 U.S.C. § 103(a)

The Examiner has rejected claims 2 and 5-6 under 35 U.S.C. § 103(a) as allegedly being unpatentable over the Related Art in view of U.S. Patent Publication No. 2003/0123485 to Yi et al. (hereinafter “Yi”). Applicants respectfully traverse the rejections at least for the following reasons.

Yi does not cure the deficiencies of the Related Art discussed above with regard to claim 1. Accordingly, Applicants submit that claim 2 is patentable at least by virtue of its dependency on claim 1.

With regard to claim 5, Applicants initially note that the claim recites that the plurality of protocol layers are segmented into blocks to execute QoS control taking a Radio Link Control (RLC) layer into consideration. On page 4 of the Office Action, the Examiner correctly

acknowledges that the Related Art, as modified by Yi, does not teach this feature. Accordingly, Applicants submit that claim 5 is not rendered unpatentable by the Related Art and Yi.

With further regard to claim 5, the claim recites features similar to those discussed above in conjunction with claim 1. Specifically, claim 5 recites a User Datagram Protocol (UDP)/Internet Protocol version 6 (IPv6) layer which connects a plurality of blocks each formed of protocol layers obtained by segmenting said plurality of protocol layers. As discussed above, the Related Art does not teach such a feature. Yi does not cure this deficiency. Accordingly, Applicants submit that claim 5 is patentable. Applicants further submit that claim 6 is patentable at least by virtue of its dependency on claim 5.

The Examiner has rejected claim 3 under 35 U.S.C. § 103(a) as allegedly being unpatentable over the Related Art in view of Yi and further in view of U.S. Patent Publication No. 2003/0123392 to Ruutu (hereinafter “Ruutu”).

Because Ruutu does not cure the deficiencies of the Related Art and Yi, Applicants submit that claim 3 is patentable at least by virtue of its dependency on claim 1.

The Examiner has rejected claims 4 and 7 under 35 U.S.C. § 103(a) as allegedly being unpatentable over the Related Art in view of Yi and further in view of U.S. Patent No. 7,302,497 to Vilander et al. (hereinafter “Vilander”) and U.S. Patent No. 4,682,150 to Mathes (hereinafter “Mathes”).

Vilander and Mathes do not cure the deficiencies of the Related Art and Yi discussed above with regard to claims 1 and 5. Accordingly, Applicants submit that claims 4 and 7 are patentable at least by virtue of their dependency on claims 1 and 5, respectively.

New Claims

New claims 8-15 have been added. Applicants submit that these claims are patentable at least by virtue of their dependency on one of claim 1 and 5 and because the cited art of record does not teach or suggest the features recited therein.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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